

**6344. Adulteration of tomato paste. United States \* \* \* v. 275 Cases of Tomato Paste**  
**Default decree of condemnation, forfeiture, and destruction.** (F. & D. Nos. 8091-8095.  
I. S. No. 12508-m. S. No. C-651.)

On February 16, 1917, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 275 cases, each containing 8 dozen cans of tomato paste labeled in part, "Asquith Brand Concentrated Tomato Paste, \* \* \* Andrews Packing Co., Andrews, Md.," remaining unsold in the original unbroken packages at New Orleans, La., alleging that the article had been shipped on or about December 6, 1916, by William P. Andrews, Wingate, Md., and transported from the State of Maryland into the State of Louisiana, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in substance in the libel for the reason that it consisted of a filthy, decomposed, and putrid vegetable substance.

On March 11, 1918, the case having come on to be heard with respect to the 50 cases, more or less, of the product that had been seized, and no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*